

Neel Chatterjee (SBN 173985)
nchatterjee@goodwinlaw.com
GOODWIN PROCTER LLP
135 Commonwealth Drive
Menlo Park, California 94025
Tel.: +1 650 752 3100
Fax.: +1 650 853 1038

Brett Schuman (SBN 189247)
bschuman@goodwinlaw.com
Shane Brun (SBN 179079)
sbrun@goodwinlaw.com
Rachel M. Walsh (SBN 250568)
rwalsh@goodwinlaw.com
Hayes P. Hyde (SBN 308031)
hhyde@goodwinlaw.com
GOODWIN PROCTER LLP
Three Embarcadero Center
San Francisco, California 94111
Tel.: +1 415 733 6000
Fax.: +1 415 677 9041

Attorneys for Defendant
Otto Trucking LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Waymo LLC,

Plaintiff,

v.

Uber Technologies, Inc.; Ottomotto LLC; Otto
Trucking LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF HAYES P. HYDE IN
SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF ITS
RESPONSE TO DEFENDANTS' BRIEFS
REGARDING LEVANDOWSKI'S
ADVERSE INFERENCES [DKT. NO. 896]**

I, Hayes P. Hyde, declare as follows:

1. I am an attorney at the law firm of Goodwin Procter, LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff's Administrative Motion to File Under Seal Portions of Its Response to Defendants' Briefs Regarding Levandowski's Adverse Inferences [Dkt. No. 896] .

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Plaintiff Waymo LLC's Response to Defendants' Briefs Regarding Levandowski's Adverse Inferences ("Response")	Marked portions (in red boxes)

3. The marked portions (in red boxes) of the Response include highly confidential, sensitive business information relating to the terms of Otto Trucking's agreements and corporate structure as well as information that may be highly confidential and sensitive related to co-defendants Uber and Ottomotto. This information is not publicly known, and this information's confidentiality is strictly maintained. I understand that this information could be used by competitors to Otto Trucking's detriment, including in the context of negotiating business deals. If such information were made public, I understand Otto Trucking's competitive standing could be significantly harmed.

4. Defendant's request to seal is narrowly tailored to those portions of the Plaintiff's Motion and its supporting papers that merit sealing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 18th day of July, 2017 in Menlo Park, California.

/s/ Hayes P. Hyde
Hayes P. Hyde

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on July 18, 2017. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 18th day of July 2017.

/s/ Hayes P. Hyde
Hayes P. Hyde